



21st Floor
1251 Avenue of the Americas
New York, NY 10020-1104

Rachel F. Strom
212-403-4069 tel
212-489-8340 fax

Rachelstrom@dwt.com

August 13, 2020

BY ECF

Honorable Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: *BYD Company Ltd. v. VICE Media LLC* (20-cv-03281)

Dear Judge Nathan:

This firm represents defendant VICE Media LLC (“VICE”) in the above-captioned action and writes on behalf of all parties. Pursuant to this Court’s Order dated July 13, 2020, VICE will file a motion to dismiss this action in its entirety on August 17, 2020. We now write, pursuant to Rule 6(b) of the Federal Rules of Civil Procedure, Rules 7.1(d) and 5.2(b) of the Local Rules for the Southern District of New York, and Rules 1.A and 1.D of Your Honor’s Individual Practices, to respectfully request that this Court set a further briefing schedule for VICE’s motion as follows:

- (1) Plaintiff’s Opposition to Defendants’ Motion to Dismiss shall be due on September 14, 2020 (the current deadline is August 31, 2020).
- (2) VICE’s Reply in Further Support of its Motion to Dismiss shall be due on October 2, 2020 (the current deadline is September 7, 2020).

In addition, the parties request that the Court stay all discovery as well as the time to submit a proposed case management plan in this matter until at least October 28, 2020, although VICE intends to file a motion to stay all discovery pending a resolution on its motion to dismiss.

VICE submitted a request for an extension of time to answer or otherwise respond to the Complaint, which was granted by this Court. *See* ECF No. 7. This is Plaintiff’s first request for an extension. Given the complexity of the issues in this case and the upcoming religious holidays, this additional time will give both parties a full opportunity to prepare responses to the other party’s briefing.

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The requested extension would not affect any other deadlines in this matter, although the Court has scheduled a discovery conference in this action for September 4, 2020. Given that the parties intend to stay discovery until, at least, October 28, the parties defer to Your Honor as to whether the September 4 conference should be rescheduled.

Thank you for your consideration.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Rachel Strom", written in black ink.

Rachel Strom

cc: All counsel of record (by ECF)